

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 4:09-CR-146 CEJ
)	
SHANNON ESCOBEDO,)	
)	
Defendant.)	


ORDER

On October 26, 2009, the Court received a letter from the defendant, requesting that her sentence of imprisonment be changed from twelve months to twelve months and one day. The letter will be treated as a motion to modify sentence.

The circumstances under which a court may modify a sentence of imprisonment are set forth in 18 U.S.C. § 3582(c). The statute provides that modification of a sentence of imprisonment cannot be made by the court after the sentence is imposed except (1) when the director of the Bureau of Prisons files a motion for reduction and the court makes certain findings as set forth in § 3582(c)(1)(A); (2) when modification is expressly permitted by statute or by Rule 35 of the Federal Rules of Criminal Procedure; or (3) when the defendant has been sentenced to a term of imprisonment based on a sentencing range that has subsequently been lowered by the Sentencing Commission. Because none of the circumstances delineated by the statute are present here, the Court cannot grant the defendant's request.

Accordingly,

IT IS HEREBY ORDERED that the motion of defendant Shannon Escobedo to modify the sentence of imprisonment is **denied**.



CAROL E. JACKSON
UNITED STATES DISTRICT JUDGE

Dated this 27th day of October, 2009.